

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 798, L.D. 2046, Bill, "An Act to Clarify the Rule-making Authority of the Maine Historic Preservation Commission"

Amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 27 MRSA §504, sub-§2-A is enacted to read:

2-A. Rules. The Maine Historic Preservation Commission may adopt rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375 to implement this section.

Sec. 2. 27 MRSA §505, sub-§2, ¶A, as enacted by PL 1979, c. 21, is amended to read:

~~A. The Maine Historic Preservation Commission shall be is under the management and supervision of a director who shall make rules and regulations for the proper management of the bureau~~ may adopt rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, to implement this section, subject to the approval of the Commissioner of Educational and Cultural Services.

Sec. 3. 27 MRSA §509, as repealed and replaced by PL 1979, c. 21, is amended to read:

§509. Compliance with federal law

The State Historic Preservation Officer may adopt any ~~regulation-necessary~~ rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, to enable the State to comply with any law of the United States intended to promote public historic preservation services. The Treasurer of State shall be custodian of any money that may be allotted by the Federal Government for programs related to the purposes of the Maine Historic Preservation Commission.'

R. of S.

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STATEMENT OF FACT

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This amendment requires that all rule-making undertaken by the Maine Historic Preservation Commission, the Director of the Maine Historic Preservation Commission or the State Historic Preservation Officer be conducted pursuant to the Maine Administrative Procedure Act.

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Reported by Senator Carpenter for the Committee on State and Local Government. Reproduced and Distributed Pursuant to Senate Rule 12.
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